

COURT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



PATRICK TRACY, on behalf of himself
and all other employees similarly situated,

Plaintiff,

VERDICT FORM

04-CV-6541L

v.

NVR, INC.,

Defendant.

1. Do you find that NVR has proven, by a preponderance of the evidence, that plaintiff was employed in the capacity of an outside salesman (and therefore was exempt from the overtime pay requirements of the FLSA and New York Labor Law)?

YES 8

NO 0

Once you have answered this question, you may receive further instructions from the Court.

Please sign and date the verdict form in the space indicated below and inform the Judge that you have arrived at a unanimous verdict.

I CERTIFY THE ABOVE VERDICT TO BE TRUE AND ACCURATE AND TO
CONSTITUTE THE VERDICT OF ALL EIGHT (8) JURORS.

Stephen A. Delvin
FOREPERSON

Dated: Rochester, New York
October 23, 2013